

United States District Court  
Eastern District of California

Curtis J. Williams,

Plaintiff,

vs.

R. W. Sandham, et al.,

Defendants.

No. Civ. S 05-0164 DFL PAN P

Order

-oOo-

Plaintiff is a state prisoner without counsel seeking to commence a civil rights action. This proceeding was referred to this court by Local Rule 72-302 pursuant to 28 U.S.C. § 636(b)(1).

Plaintiff requests leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915 and has submitted a declaration that makes the showing required by 28 U.S.C. § 1915(a). Plaintiff is required to pay the statutory filing fee of \$150 for this action. 28 U.S.C. §§ 1914(a), 1915(b)(1) (2000). Plaintiff is obligated

1 for monthly payments of 20 percent of the preceding month's  
2 income credited to plaintiff's prison trust account. These  
3 payments will be forwarded by the appropriate agency to the Clerk  
4 of the Court each time the amount in plaintiff's account exceeds  
5 \$10, until the filing fee is paid in full. 28 U.S.C.  
6 § 1915(b)(2).

7 The complaint states cognizable claims for relief against  
8 all defendants pursuant to 42 U.S.C. § 1983 and 28 U.S.C.  
9 § 1915A(b).

10 Accordingly, the court hereby orders that:

11 1. Plaintiff's request for leave to proceed in forma  
12 pauperis is granted.

13 2. Plaintiff is obligated to pay the statutory filing fee  
14 of \$150 for this action. The fee shall be collected in  
15 accordance with this court's notice to the Director of the  
16 California Department of Corrections filed concurrently herewith.

17 3. Service is appropriate for defendants R.W. Sandham, J.D.  
18 Steen, J. Rohlfing and P. Mangis.

19 4. The Clerk of the Court shall send plaintiff four USM-285  
20 forms, one summons, an instruction sheet and one copy of the  
21 January 26, 2005, pleading.

22 5. Within 30 days from service of this order, plaintiff  
23 shall complete the attached Notice of Submission of Documents and  
24 submit it to the court with the completed summons and USM-285  
25 forms and five copies of the January 26, 2005, pleading.

26 6. Upon receipt of the necessary materials, the court will

1 direct the United States Marshal to serve defendants R.W.  
2 Sandham, J.D Steen, J. Rohlfing and P. Mangis pursuant to Federal  
3 Rule of Civil Procedure 4 without payment of costs.

4 Dated: June 2, 2005.

5 /s/ Peter A. Nowinski

6 PETER A. NOWINSKI

7 Magistrate Judge  
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Notice of Submission of Documents

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Plaintiff hereby submits the following documents in  
compliance with the court's order filed \_\_\_\_\_:

1 completed summons form

4 completed forms USM-285

5 copies of the January 26, 2005  
Complaint

Dated: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff